

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
v.)	Criminal Action No. 13-278
)	
JASON SHEPPARD,)	Judge Cathy Bissoon
)	
Defendant.)	

ORDER

Having recently become a registered user of the Court’s electronic filing system, CM/ECF, Defendant has submitted a “Response to Government’s Response to [Defendant’s Motion] to Disqualify Counsel.” *See* Doc. 172. Although Defendant has docketed his filing as a “Motion,” it is, in fact, a “reply” brief in support of Defendant’s Motion to Disqualify (Doc. 166). The Court will construe and consider it as such, and, the designation of this filing as a “Motion” has been terminated.

Furthermore, Defendant, having availed himself to the CM/ECF system, no longer is required to be served with Court filings via First-Class U.S. Mail (nor is he required to serve the Court or government by regular mail). Rather, like all other ECF users, Defendant will serve and be served through automatically-generated “Notices of Electronic Filing.” *See* ECF Policies and Procedures (<http://www.pawd.uscourts.gov/sites/pawd/files/ECFPolProcAmended062013.pdf>) at ¶¶ 6, 12.2. Defendant’s first view of electronically-noticed documents is “free,” and he should be cognizant of the instructions in the ECF User’s Manual in this regard. *See* CM/ECF User Manual (http://www.pawd.uscourts.gov/sites/pawd/files/PAWD_Manual_201108_1.pdf) at pg. 38 (“Individuals who receive electronic notification of the filing are permitted ‘one free look’ at the document by clicking on the associated hyperlinked document number embedded in

the Notice of Electronic Filing. . . . The court strongly urges you to copy the document to your hard-drive for future access, [as s]ubsequent retrieval of the case docket sheet and document from ECF . . . is subject to . . . fees.”).

In this case, and others, the Court encourages the use of the ECF system to promote the timely and efficient administration of judicial proceedings. The system eliminates the costs, potential difficulties and delays associated with service of court documents through regular mail. Should Defendant continue participating in the system, though, he is responsible for familiarizing himself, and complying with, the Court’s ECF’s Policies and Procedures and User’s Manual. If Defendant wishes to withdraw his participation, for whatever reason, he promptly shall notify the Clerk’s Office in writing. Unless and until such written notice is received, a legal presumption will exist that Defendant has received notification/service of all filings made in his case through the ECF system.

IT IS SO ORDERED.

March 7, 2016

s\Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record

Jason Sheppard (pro se)